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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FINJAN, INC., a Delaware Corporation,
Plaintiff,
v.
CISCO SYSTEMS, INC.,
a California Corporation
Defendant.

Case No. 5:17-cv-00072-BLF-SVK

**STIPULATION AND ~~PROPOSED~~
ORDER MODIFYING DATES FOR
BRIEFING AND HEARING ON
SUMMARY JUDGMENT MOTIONS**

AS MODIFIED BY THE COURT

Pursuant to Civil Local Rules 6-1, 6-2(a) and 7-12, Plaintiff Finjan, Inc. (“Finjan”) and Defendant Cisco Systems, Inc. (“Cisco”) submit this Stipulation and [Proposed] Order Modifying Dates for Briefing and Hearing on Summary Judgment Motions.

WHEREAS, Finjan and Cisco, have diligently been working on a number of discovery issues in the case, and have met and conferred and agreed to extend the schedule for expert discovery through September 17, 2019 as follows:

Event	Current Date	Stipulated Date
Opening expert reports	May 23, 2019	July 11, 2019
Rebuttal expert reports	June 27, 2019	August 13, 2019
Close of expert discovery	August 1, 2019	September 17, 2019

The parties respectfully request that the Court also extend the schedule for summary judgment briefing and hearing as follows:

Event	Current Date	Stipulated Date/Proposed Amended Date
Opening summary judgment briefs	September 12, 2019	October 22, 2019
Responsive summary judgment briefs	October 3, 2019	November 12, 2019
Reply summary judgment briefs	October 17, 2019	November 26, 2019
Summary judgment hearing	October 31, 2019	At the Court’s earliest availability after December 1, 2019 OR March 26, 2020 (date currently set by the Court for <i>Daubert</i> motions)

WHEREAS the parties contacted the Court’s clerk to request the next available hearing date after December 1, 2019, and were informed by the clerk to file a request with the Court;

WHEREAS, the parties believe that these proposed alterations are supported by good cause under the current circumstances;

WHEREAS, the parties were previously granted an extension of time to complete mediation pursuant to ADR L.R. 6-4(c) (Dkt. No. 60), to modify the Joint Stipulated Case Schedule (Dkt. Nos. 78, 101, 102, 106), to advance the claim construction tutorial (Dkt. No. 117), to expedite briefing for Cisco's motion for leave to submit additional claim construction (Dkt. No. 143), to conduct depositions of Israel-based witnesses beyond the close of fact discovery (Dkt. No. 207), and Finjan was granted leave to serve amended infringement contentions for the '780 and '633 Patents (Dkt. No 89). No other modifications to the Case Schedule have been made, stipulated or otherwise exist; and

WHEREAS, the proposed modifications will not alter any other deadlines (except for those identified herein) already fixed by the Court or set by the Federal Rules of Civil Procedure.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among counsel for Finjan and Cisco that the following modified schedule apply, and the Court order a schedule for briefing and hearing related to the parties' summary judgment motions as follows:

Event	Stipulated Date/Proposed Amended Date
Opening expert reports	July 11, 2019
Rebuttal expert reports	August 13, 2019
Close of expert discovery	September 17, 2019
Opening summary judgment briefs	October 22, 2019
Responsive summary judgment briefs	November 12, 2019
Reply summary judgment briefs	November 26, 2019
Summary judgment hearing	At the Court's earliest availability after December 1, 2019 OR March 26, 2020 (date currently set by the Court for <i>Daubert</i> motions)

1 Dated: May 6, 2019

Respectfully submitted,

2
3 /s/ Hannah Lee

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~~PROPOSED~~ ORDER

The Court, having read and considered the parties' Stipulation, and finding good cause in support thereof, hereby orders that the below deadlines in the Case Schedule (Dkt. No. 70) be modified as follows:

Event	Current Date	Amended Date
Opening summary judgment briefs	September 12, 2019	October 22, 2019
Responsive summary judgment briefs	October 3, 2019	November 12, 2019
Reply summary judgment briefs	October 17, 2019	November 26, 2019
Summary judgment hearing	October 31, 2019	At the Court's earliest availability after December 1, 2019 OR March 26, 2020 (date currently set by the Court for <i>Daubert</i> motions)

The summary judgment hearing date is hereby RESET to January 9, 2020, at 9:00 a.m.

IT IS SO ORDERED

Dated: May 7, 2019



Judge Beth Labson Freeman
UNITED STATES DISTRICT COURT JUDGE